

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

AMCO INSURANCE COMPANY,

Plaintiff,

v.

GROHE AMERICA, INC. AND DOES 1 TO  
25, INCLUSIVE,

Defendants.

Case No. 08-CV-207 JLS (WMc)

**SCHEDULING ORDER**

Pursuant to Rule 16.1 of the Local Rules, a Case Management Conference was held on May 30, 2008. After consulting with the attorneys of record for the parties and being advised of the status of the case, and good cause appearing,

**IT IS HEREBY ORDERED:**

\*\*\* Any motion to join other parties, to amend the pleadings, or to file additional pleadings shall be *filed* on or before **June 27, 2008**.

1. The parties shall disclose the identity of their respective experts in writing by **September 12, 2008**. The date for the disclosure of the identity of rebuttal experts shall be on or before **September 26, 2008**. The written designations shall include the name, address and telephone number of the expert and a reasonable summary of the testimony the expert is expected to provide. The list shall also include the normal rates the expert charges for deposition and trial testimony. **The parties must identify any person who may be used at trial to present evidence pursuant to Fed. R. Evid. 702, 703 and 705, respectively. This requirement is not limited to retained experts.**

1           2.       On or before ***October 17, 2008***, each party shall comply with the disclosure  
2 provisions in Rule 26(a)(2)(B) of the Federal Rules of Civil Procedure. **This disclosure**  
3 **requirement applies to all persons retained or specifically employed to provide expert**  
4 **testimony or whose duties as an employee of the part regularly involve the giving of expert**  
5 **testimony.**

6           3.       Any party shall supplement its disclosure regarding contradictory or rebuttal evidence  
7 under Rule 26(a)(2)(c) on or before ***October 31, 2008***.

8           4.       **Please be advised that failure to comply with this section or any other discovery**  
9 **order of the court may result in the sanctions provided for in Fed.R.Civ.P.37 including a**  
10 **prohibition on the introduction of experts or other designated matters in evidence.**

11           5.       All discovery, including experts, shall be completed by all parties on or before  
12 ***November 14, 2008***. "Completed" means that all discovery under Rules 30-36 of the Federal Rules  
13 of Civil Procedure, and discovery subpoenas under Rule 45, must be initiated a sufficient period of  
14 time in advance of the cut-off date, *so that it may be completed* by the cut-off date, taking into  
15 account the times for service, notice and response as set forth in the Federal Rules of Civil  
16 Procedure. Counsel shall promptly and in good faith meet and confer with regard to all discovery  
17 disputes in compliance with Local Rule 26.1(a). All discovery motions shall be filed within 30 days  
18 after counsel have met and conferred and reached an impasse with regard to any particular discovery  
19 issue, but in no event shall discovery motions be filed more than 30 days after the close of discovery.

20           6.       All other pretrial motions must be filed on or before ***December 15, 2008***. (*In*  
21 *intellectual property cases, this would include claims construction hearings*.) Please be advised that  
22 counsel for the moving party must obtain a motion hearing date from the law clerk of the judge who  
23 will hear the motion. Be further advised that the period of time between the date you request a  
24 motion date and the hearing date may vary from one district judge to another. Please plan  
25 accordingly. For example, you should contact the judge's law clerk in advance of the motion cut-off  
26 to calendar the motion. Failure to make a timely request a motion date may result in the motion not  
27 being heard.

28           7.       Counsel shall file their Memoranda of Contentions of Fact and Law and take any

1 other action required by Local Rule 16.1 (f) (2) on or before **February 3, 2009**.

2 8. Counsel shall comply with the Pre-trial disclosure requirements of Federal Rule of  
3 Civil Procedure 26(a)(3) on or before **February 3, 2009**.

4 9. Counsel shall meet and take the action required by Local Rule 16.1 (f) (4) on or  
5 before **February 10, 2009**.

6 10. Objections to Pre-trial disclosures shall be filed no later than **February 17, 2009**.

7 11. The Proposed Final Pretrial Conference Order required by Local Rule 16.1 (f) (6)  
8 shall be prepared, served, and lodged on or before **February 17, 2009**.

9 12. The final Pretrial Conference is scheduled on the calendar of Judge **Janis L.**  
10 **Sammartino** on **February 26, 2009 at 1:30 p.m.** A trial date will be given at the Pretrial  
11 Conference.

12 13. A post trial settlement conference before a magistrate judge may be held within 30  
13 days of verdict in the case.

14 14. The dates and times set forth herein will not be modified except for good cause  
15 shown.

16 15. Dates and times for hearings on motions should be approved by the Court's clerk  
17 before notice of hearing is served.

18 16. Briefs or memoranda in support of or in opposition to any pending motion shall not  
19 exceed twenty-five (25) pages in length without leave of a district court judge. No reply  
20 memorandum shall exceed ten (10) pages without leave of a district court judge. Briefs and  
21 memoranda exceeding ten (10) pages in length shall have a table of contents and a table of  
22 authorities cited.

23 **IT IS SO ORDERED.**

24 DATED: May 30, 2008



Hon. William McCurine, Jr.  
U.S. Magistrate Judge, U.S. District Court

26 COPY TO:

27 HONORABLE JANIS L. SAMMARTINO, U.S. DISTRICT JUDGE  
28 ALL PARTIES AND COUNSEL OF RECORD